I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents

Washington, D.C. 20231 On October 1, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Kimberly Badiei

Attorney Docket No.: 020460-000940US

#11/86 10-16-in

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: PHAN, Hieu

CFR §1.97 and §1.98

SUPPLEMENTAL INFORMATION

DISCLOSURE STATEMENT UNDER 37

Art Unit: 3738

In re application of:

SIRHAN, Motasim et al.

Application No.: 09/782,804

Filed: February 13, 2001

For: INTRAVASCULAR DELIVERY

OF METHYLPREDNISOLONE

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

The reference cited on attached form PTO/SB/08A and PTO/SB/08B is being called to the attention of the Examiner. A copy of the reference is enclosed.

Also enclosed is a copy of the Search/Examination report corresponding to the PCT application.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

SIRHAN, Motasim et al. Application No.: 09/782,804 Page 2

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

CERTIFICATION

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Nena Bains

Reg. No. 47,400

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 650-326-2422

NB:bjl

PA 3251868 v1